

<b>Description</b>	<p>LS-21-002, LS-21-003, LS-21-004 Minutes for Hearing Day 12  Baja Concrete USA Corp. et. al.  Tuesday, August 29, 2023</p> <p>Time: 9:00 a.m.  Examiner: Ryan Vancil  Assistant: Angela Oberhansly</p> <p>Party Representatives:</p> <p>Alex Larkin, Legal Counsel for the Appellant, LS-21-002</p> <p>Mark Kimball, Legal Counsel for the Appellant, LS-21-002</p> <p>Nicole Wolfe, Legal Counsel for the Appellant, LS-21-003</p> <p>Aaron Rocke, Legal Counsel for the Appellant, LS-21-004</p> <p>Trina Pridgeon, Legal Counsel for the Department, Office of Labor Standards</p> <p>Lorna Sylvester, Legal Counsel for the Department, Office of Labor Standards</p> <p>Witnesses:</p> <p>Katie Jo Keppinger</p> <p>Daron Williams</p>
<b>Date</b>	8/29/2023 <b>Location</b> [HXM1810606]

Time	Speake	Note
<a href="#">9:00:25 AM</a>		Examiner opens hearing
<a href="#">9:00:50 AM</a>		Rocke continues direct examination of Keppinger
<a href="#">9:01:08 AM</a>		Keppinger responds
<a href="#">9:02:23 AM</a>		Rocke uses share screen to display Hearing Exhibit 87 and continues direct examination of Keppinger with respect to it
<a href="#">9:03:17 AM</a>		Keppinger responds
<a href="#">9:10:06 AM</a>		Kimball objects
<a href="#">9:10:17 AM</a>		Sylvester joins objection
<a href="#">9:10:42 AM</a>		Rocke responds
<a href="#">9:10:59 AM</a>		Objection is sustained
<a href="#">9:12:39 AM</a>		Rocke continues
<a href="#">9:13:01 AM</a>		Keppinger responds
<a href="#">9:16:10 AM</a>		Rocke concludes
<a href="#">9:16:21 AM</a>		Sylvester begins cross redirect examination of Keppinger
<a href="#">9:16:40 AM</a>		Keppinger responds
<a href="#">9:21:56 AM</a>		Rocke objects
<a href="#">9:21:56 AM</a>		Objection is overruled
<a href="#">9:21:59 AM</a>		Sylvester continues
<a href="#">9:22:00 AM</a>		Keppinger responds
<a href="#">9:26:14 AM</a>		Rocke objects
<a href="#">9:26:16 AM</a>		Sylvester continues
<a href="#">9:26:20 AM</a>		Objection is overruled
<a href="#">9:26:27 AM</a>		Sylvester continues
<a href="#">9:26:59 AM</a>		Keppinger responds
<a href="#">9:29:11 AM</a>		Kimball objects
<a href="#">9:29:14 AM</a>		Rocke joins objection
<a href="#">9:29:18 AM</a>		Sylvester responds
<a href="#">9:30:01 AM</a>		Objection is overruled
<a href="#">9:30:08 AM</a>		Sylvester continues
<a href="#">9:30:46 AM</a>		Keppinger responds
<a href="#">9:32:38 AM</a>		Sylvester uses share screen to display City Exhibit 97 and continues cross redirect examination of Keppinger
<a href="#">9:32:46 AM</a>		Keppinger responds
<a href="#">9:34:07 AM</a>		Sylvester motions to admit City Exhibit 97
<a href="#">9:34:21 AM</a>		City Exhibit 97 is admitted as Hearing Exhibit 89
<a href="#">9:34:35 AM</a>		Sylvester continues
<a href="#">9:38:07 AM</a>		Sylvester uses share screen to display City Exhibit 108 and continues cross redirect examination of Keppinger
<a href="#">9:38:25 AM</a>		Keppinger responds
<a href="#">9:41:19 AM</a>		Sylvester uses share screen to display City Exhibit 105 and continues cross redirect examination of Keppinger
<a href="#">9:41:34 AM</a>		Keppinger responds
<a href="#">9:44:13 AM</a>		Rocke objects

<a href="#">9:44:20 AM</a>	Sylvester responds
<a href="#">9:44:37 AM</a>	Rocke responds
<a href="#">9:44:44 AM</a>	Objection is sustained
<a href="#">9:44:55 AM</a>	Rocke objects
<a href="#">9:45:01 AM</a>	Sylvester responds
<a href="#">9:45:15 AM</a>	Objection is overruled
<a href="#">9:46:01 AM</a>	Sylvester motions to admit City Exhibit 105
<a href="#">9:46:18 AM</a>	City Exhibit 105 is admitted as Hearing Exhibit 90
<a href="#">9:47:13 AM</a>	Examiner pauses hearing for a short recess
<a href="#">9:49:23 AM</a>	Sylvester continues
<a href="#">9:50:18 AM</a>	Kimball objects
<a href="#">9:50:21 AM</a>	Rocke and Wolfe joins objection
<a href="#">9:50:52 AM</a>	Sylvester responds
<a href="#">9:51:56 AM</a>	Kimball responds
<a href="#">9:52:22 AM</a>	Objections are overruled
<a href="#">9:52:43 AM</a>	Sylvester continues
<a href="#">9:52:55 AM</a>	Keppinger responds
<a href="#">10:03:46 AM</a>	Sylvester uses share screen to display Hearing Exhibit 87 and continues cross redirect examination of Keppinger
<a href="#">10:04:37 AM</a>	Keppinger responds
<a href="#">10:05:56 AM</a>	Sylvester concludes
<a href="#">10:06:07 AM</a>	Kimball begins cross redirect examination of Keppinger
<a href="#">10:06:24 AM</a>	Keppinger responds
<a href="#">10:07:36 AM</a>	Sylvester objects
<a href="#">10:07:40 AM</a>	Kimball rephrases
<a href="#">10:07:53 AM</a>	Sylvester objects
<a href="#">10:07:58 AM</a>	Objection is overruled
<a href="#">10:08:04 AM</a>	Kimball continues
<a href="#">10:08:09 AM</a>	Keppinger responds
<a href="#">10:12:11 AM</a>	Kimball uses share screen to display Hearing Exhibit 89 continues cross redirect examination of Keppinger
<a href="#">10:13:20 AM</a>	Sylvester objects
<a href="#">10:13:23 AM</a>	Kimball responds
<a href="#">10:13:43 AM</a>	Objection is overruled
<a href="#">10:13:47 AM</a>	Kimball continues
<a href="#">10:14:07 AM</a>	Keppinger responds
<a href="#">10:18:18 AM</a>	Kimball concludes
<a href="#">10:18:22 AM</a>	Wolfe begins cross redirect examination of Keppinger
<a href="#">10:18:32 AM</a>	Keppinger responds
<a href="#">10:22:52 AM</a>	Wolfe uses share screen to display Hearing Exhibit 90 continues cross redirect examination of Keppinger
<a href="#">10:22:58 AM</a>	Keppinger responds
<a href="#">10:28:41 AM</a>	Sylvester objects
<a href="#">10:28:56 AM</a>	Wolfe responds

<a href="#">10:29:13 AM</a>	Objection is sustained
<a href="#">10:29:22 AM</a>	Wolfe concludes
<a href="#">10:29:35 AM</a>	Examiner pauses hearing for a morning break
<a href="#">10:29:41 AM</a>	Examiner resumes hearing
<a href="#">10:45:45 AM</a>	Wolfe motions to admit Newway Exhibit 40
<a href="#">10:46:11 AM</a>	Sylvester objects
<a href="#">10:46:15 AM</a>	Wolfe responds
<a href="#">10:46:26 AM</a>	Objection is overruled
<a href="#">10:46:29 AM</a>	Newway Exhibit 40 is admitted as Hearing Exhibit 91
<a href="#">10:47:39 AM</a>	Daron Williams is sworn in
<a href="#">10:48:03 AM</a>	Sylvester begins direct examination of Williams
<a href="#">10:49:10 AM</a>	Williams responds
<a href="#">10:58:57 AM</a>	Larkin objects
<a href="#">10:58:58 AM</a>	Sylvester responds
<a href="#">10:59:05 AM</a>	Objection is overruled
<a href="#">10:59:09 AM</a>	Williams responds
<a href="#">10:59:27 AM</a>	Sylvester continue
<a href="#">10:59:30 AM</a>	Williams responds
<a href="#">11:00:19 AM</a>	Sylvester uses share screen to display Hearing Exhibit 89 and continues direct examination of Williams
<a href="#">11:00:45 AM</a>	Williams responds
<a href="#">11:09:08 AM</a>	Rocke objects
<a href="#">11:09:11 AM</a>	Sylvester responds
<a href="#">11:09:15 AM</a>	Wolfe joins objection
<a href="#">11:09:20 AM</a>	Sylvester responds
<a href="#">11:09:44 AM</a>	Objection is overruled
<a href="#">11:09:51 AM</a>	Rocke responds
<a href="#">11:09:59 AM</a>	Examiner responds
<a href="#">11:13:23 AM</a>	Sylvester continues
<a href="#">11:13:35 AM</a>	Williams responds
<a href="#">11:15:24 AM</a>	Larkin objects
<a href="#">11:15:45 AM</a>	Sylvester responds
<a href="#">11:16:22 AM</a>	Objection is overruled
<a href="#">11:17:58 AM</a>	Sylvester continues
<a href="#">11:18:15 AM</a>	Williams responds
<a href="#">11:20:08 AM</a>	Rocke objects
<a href="#">11:20:11 AM</a>	Wolfe and Larkin joins objection
<a href="#">11:20:13 AM</a>	Sylvester responds
<a href="#">11:20:37 AM</a>	Objection is overruled
<a href="#">11:23:12 AM</a>	Rocke objects
<a href="#">11:23:18 AM</a>	Sylvester responds
<a href="#">11:23:30 AM</a>	Objection is sustained
<a href="#">11:23:40 AM</a>	Sylvester rephrases question

<a href="#">11:23:47 AM</a>	Williams responds
<a href="#">11:24:44 AM</a>	Rocke objects
<a href="#">11:27:16 AM</a>	Wolfe joins objection
<a href="#">11:27:20 AM</a>	Sylvester responds
<a href="#">11:27:52 AM</a>	Examiner responds
<a href="#">11:28:08 AM</a>	Rocke responds
<a href="#">11:32:29 AM</a>	Objection is overruled
<a href="#">11:32:36 AM</a>	Examiner responds
<a href="#">11:34:16 AM</a>	Sylvester continues
<a href="#">11:38:23 AM</a>	Sylvester uses share screen to display Hearing Exhibit 12 and continues direct examination of Williams with respect to it
<a href="#">11:38:46 AM</a>	Williams responds
<a href="#">11:45:13 AM</a>	Examiner asks question of Keppinger
<a href="#">11:47:33 AM</a>	Assistant uses share screen to display Hearing Exhibit 87 and Examiner continues to question Keppinger with respect to it
<a href="#">11:47:53 AM</a>	Keppinger responds
<a href="#">11:56:21 AM</a>	Examiner concludes
<a href="#">11:56:36 AM</a>	Sylvester continues
<a href="#">11:56:46 AM</a>	Williams responds
<a href="#">12:09:55 PM</a>	Sylvester uses share screen to display Hearing Exhibit 24 and continues direct examination of Williams with respect to it
<a href="#">12:12:39 PM</a>	Williams responds
<a href="#">12:28:46 PM</a>	Examiner pauses hearing for a lunch break
<a href="#">2:00:16 PM</a>	Examiner resumes hearing
<a href="#">2:00:42 PM</a>	Sylvester continues
<a href="#">2:01:12 PM</a>	Sylvester uses share screen to display Appellant Newway Exhibit 11 and continues direct examination of Williams with respect to it
<a href="#">2:02:21 PM</a>	Williams responds
<a href="#">2:02:27 PM</a>	Sylvester motions to admit Newway Exhibit 11
<a href="#">2:03:15 PM</a>	Newway Exhibit 11 is admitted as Hearing Exhibit 92
<a href="#">2:03:22 PM</a>	Sylvester continues
<a href="#">2:04:14 PM</a>	Williams responds
<a href="#">2:04:37 PM</a>	Sylvester uses share screen to display City Exhibit 119 and continues direct examination of Williams with respect to it
<a href="#">2:05:27 PM</a>	Williams responds
<a href="#">2:06:20 PM</a>	Sylvester motions to admit City Exhibit 119
<a href="#">2:06:44 PM</a>	Larkin objects
<a href="#">2:06:49 PM</a>	Sylvester responds
<a href="#">2:07:02 PM</a>	Sylvester continues
<a href="#">2:07:07 PM</a>	Williams responds
<a href="#">2:07:13 PM</a>	Sylvester motions to admit City Exhibit 119

<a href="#">2:07:26 PM</a>	City Exhibit 119 is admitted as Hearing Exhibit 93
<a href="#">2:07:27 PM</a>	Sylvester continues
<a href="#">2:08:50 PM</a>	Sylvester uses share screen to display City Exhibit 121 and continues direct examination of Williams with respect to it
<a href="#">2:08:55 PM</a>	Williams responds
<a href="#">2:09:54 PM</a>	Sylvester uses share screen to display City Exhibit 122 and continues direct examination of Williams with respect to it
<a href="#">2:10:08 PM</a>	Williams responds
<a href="#">2:13:59 PM</a>	Sylvester uses share screen to display Hearing Exhibit 52 and continues direct examination of Williams with respect to it
<a href="#">2:14:19 PM</a>	Williams responds
<a href="#">2:42:03 PM</a>	Sylvester uses share screen to display Appellant Machado Exhibit 26 and continues direct examination of Williams with respect to it
<a href="#">2:42:22 PM</a>	Williams responds
<a href="#">2:43:32 PM</a>	Sylvester motions to admit Machado Exhibit 26
<a href="#">2:43:49 PM</a>	Appellant Machado Exhibit 26 is admitted as Hearing Exhibit 94
<a href="#">2:45:00 PM</a>	Sylvester continues
<a href="#">2:45:05 PM</a>	Williams responds
<a href="#">2:45:58 PM</a>	Sylvester uses share screen to display Hearing Exhibit 30 and continues direct examination of Williams with respect to it
<a href="#">2:46:14 PM</a>	Williams responds
<a href="#">2:47:07 PM</a>	Sylvester uses share screen to display City Exhibit 38 and continues direct examination of Williams with respect to it
<a href="#">2:48:32 PM</a>	Williams responds
<a href="#">2:48:54 PM</a>	Sylvester motions to admit City Exhibit 38
<a href="#">2:49:05 PM</a>	City Exhibit 38 is admitted as Hearing Exhibit 95
<a href="#">2:49:08 PM</a>	Sylvester continues
<a href="#">2:50:10 PM</a>	Williams responds
<a href="#">2:51:05 PM</a>	Sylvester motions to admit City Exhibit 39
<a href="#">2:51:14 PM</a>	City Exhibit 39 is admitted as Hearing Exhibit 96
<a href="#">2:51:21 PM</a>	Sylvester continues
<a href="#">2:51:43 PM</a>	Sylvester uses share screen to display City Exhibit 40 and continues direct examination of Williams with respect to it
<a href="#">2:51:45 PM</a>	Williams responds
<a href="#">2:52:35 PM</a>	Sylvester motions to admit City Exhibit 40
<a href="#">2:52:50 PM</a>	City Exhibit 40 is admitted as Hearing Exhibit 97
<a href="#">2:53:30 PM</a>	Sylvester uses share screen to display City Exhibit 41 and continues direct examination of Williams with respect to it
<a href="#">2:53:31 PM</a>	Williams responds
<a href="#">2:54:06 PM</a>	Sylvester motions to admit City Exhibit 41
<a href="#">2:54:17 PM</a>	City Exhibit 41 is admitted as Hearing Exhibit 98
<a href="#">2:55:32 PM</a>	Sylvester uses share screen to display City Exhibit 85 and continues direct examination of Williams with respect to it

<a href="#">2:56:12 PM</a>	Williams responds
<a href="#">2:56:57 PM</a>	Sylvester motions to admit City Exhibit 85
<a href="#">2:57:18 PM</a>	Larkin objects
<a href="#">2:57:32 PM</a>	Sylvester continues
<a href="#">2:57:38 PM</a>	Williams responds
<a href="#">2:58:15 PM</a>	City Exhibit 85 is admitted as Hearing Exhibit 99
<a href="#">2:58:52 PM</a>	Sylvester concludes
<a href="#">2:59:01 PM</a>	Larkin begins direct examination of Williams
<a href="#">2:59:12 PM</a>	Sylvester interjects
<a href="#">3:01:16 PM</a>	Larkin continues
<a href="#">3:02:08 PM</a>	Williams responds
<a href="#">3:23:25 PM</a>	Larkin uses share to display Hearing Exhibit 52 and continues direct examination of Williams with respect to it
<a href="#">3:24:46 PM</a>	Williams responds
<a href="#">3:27:22 PM</a>	Sylvester objects
<a href="#">3:27:26 PM</a>	Examiner responds
<a href="#">3:27:29 PM</a>	Larkin continues
<a href="#">3:27:36 PM</a>	Williams responds
<a href="#">3:31:35 PM</a>	Larkin uses share to display Hearing Exhibit 32 and continues direct examination of Williams with respect to it
<a href="#">3:34:11 PM</a>	Examiner pauses hearing for an afternoon break
<a href="#">3:34:19 PM</a>	Examiner resumes hearing
<a href="#">3:51:15 PM</a>	Larkin uses share to display Hearing Exhibit 32 and continues direct examination of Williams with respect to it
<a href="#">3:51:18 PM</a>	Williams responds
<a href="#">3:55:39 PM</a>	Larkin uses share to display Baja Exhibit 116 and continues direct examination of Williams with respect to it
<a href="#">3:56:42 PM</a>	Williams responds
<a href="#">4:02:24 PM</a>	Larkin motions to admit Baja Exhibit 116
<a href="#">4:02:38 PM</a>	Sylvester objects
<a href="#">4:03:28 PM</a>	Larkin responds
<a href="#">4:07:57 PM</a>	Larkin continues
<a href="#">4:08:22 PM</a>	Williams responds
<a href="#">4:08:32 PM</a>	Larkin motions to admit Baja Exhibit 116
<a href="#">4:08:41 PM</a>	Baja Exhibit 116 is admitted as Hearing Exhibit 100
<a href="#">4:09:21 PM</a>	Larkin uses share to display Hearing Exhibit 87 and continues direct examination of Williams with respect to it
<a href="#">4:09:25 PM</a>	Williams responds
<a href="#">4:24:47 PM</a>	Larkin concludes
<a href="#">4:24:54 PM</a>	Wolfe begins direct examination of Williams
<a href="#">4:25:10 PM</a>	Williams responds
<a href="#">4:26:36 PM</a>	Wolfe uses share screen to display City Exhibit 5 and continues direct examination of Williams with respect to it
<a href="#">4:27:04 PM</a>	Williams responds

<a href="#">4:31:55 PM</a>		Wolfe uses share screen to display Hearing Exhibit 12 and continues direct examination of Williams with respect to it
<a href="#">4:32:20 PM</a>		Williams responds
<a href="#">4:36:54 PM</a>		Wolfe uses share screen to display Newway Exhibit 1 and continues direct examination of Williams with respect to it
<a href="#">4:37:21 PM</a>		Williams responds
<a href="#">4:37:58 PM</a>		Wolfe uses share screen to display Hearing Exhibit 52 and continues direct examination of Williams with respect to it
<a href="#">4:38:20 PM</a>		Williams responds
<a href="#">4:45:42 PM</a>		Wolfe uses share screen to display Hearing Exhibit 49 and continues direct examination of Williams with respect to it
<a href="#">4:45:43 PM</a>		Williams responds
<a href="#">4:49:00 PM</a>		Wolfe concludes
<a href="#">4:49:08 PM</a>		Rocke begins direct examination of Williams
<a href="#">4:49:20 PM</a>		Williams responds
<a href="#">4:52:30 PM</a>		Sylvester objects
<a href="#">4:52:50 PM</a>		Rocke responds
<a href="#">4:54:33 PM</a>		Objection is overruled
<a href="#">4:54:43 PM</a>		Rocke continues
<a href="#">4:54:51 PM</a>		Williams responds
<a href="#">5:01:38 PM</a>		Examiner closes hearing